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Date: 9/29/2014 11:14:30 AM

Subject: Post Dispatch articles: FW: OPA Morning Clips - 9/29/14

Karl: Note the post dispatch articles -- in prep for the congressional briefing.

Fear of bird strikes factors into effort to solve landfill issues

September 28, 2014 12:00 am • By JACOB BARKER jbarker@post-dispatch.com > 314-340-8291 and BLYTHE BERNHARD

Beyond radioactive waste, burning trash and dangerous chemicals, there's another risk that could hamper construction of a protective barrier between Bridgeton and West Lake landfills.

Birds.

City of St. Louis officials have long worried that opening the landfills for any reason — and exposing the buried garbage — would attract birds, potentially threatening air traffic at nearby Lambert-St. Louis International Airport.

If the city's concerns about bird strikes aren't addressed, plans to build a barrier between the burning underground trash at Bridgeton Landfill and the buried radioactive waste at next-door West Lake could be doomed.

Because of a 2005 legal agreement, the city and its airport have an effective veto over any barrier plans submitted by Republic Services, the current landfill owner.

Worry about landfill-related bird strikes isn't new, but only in recent weeks has the concern been frequently mentioned as an obstacle to a project that was supposed to have already started months ago.

The Environmental Protection Agency, which oversees the landfill, has cited the bird risk extensively in recent community updates. And an Army Corps of Engineers report issued last month noted bird mitigation along with unmapped radioactive waste as a major obstacle to a barrier project.

But some residents — and a former air traffic controller-turned state legislator — say concern over birds is overblown and a stall tactic for a barrier that the landfill's owner never wanted to build.

City officials insist the only thing that concerns them is whether travelers are safe from bird strikes, and they won't meddle in the landfill politics that have drawn in local governments, the Missouri attorney general and the state's congressional delegation.

In fact, Lambert has been involved with the landfill since first making plans for its newest runway in the 1990s. Federal rules governing dumps near airports led to an agreement closing the landfill in 2005, which allowed Lambert to open the runway that stretches west into Bridgeton a year later.

Now, to begin construction on a barrier to block the burning Bridgeton Landfill from radioactive waste in West Lake, St. Louis and the airport must issue waivers to their 2005 agreement with the landfill, according to the corps report.

Any barrier plans must be accompanied by a bird mitigation plan that local authorities and the Federal Aviation Administration can accept, said Lambert airport director Rhonda Hamm-Niebruegge.

"We just have an obligation, from the airport's perspective, to protect the passengers coming in and out of this airport," she said.

COMPLICATIONS

Republic announced the barrier project last year despite its assurances that the underground fire was under control. The state's consultant has said the smoldering appears to be spreading toward West Lake, while Republic says it is contained and not expanding beyond the landfill's southern quarry.

Republic says the barrier will provide some peace of mind for residents, though the company still suggests the project may not be necessary.

While the barrier's construction initially seemed imminent — EPA earlier this year indicated work was expected to start soon — the project has turned out to be more complicated than first thought. The corps, in its recent report, suggested it would take another 18 months of design and study.

The corps cited numerous issues, including the unknown quantity and location of all the radioactive waste and the need to obtain waivers from the city and the airport.

Lambert's concern, however, isn't new. Even before Republic Services discovered the underground fire in December 2010, airport officials voiced worries that a large-scale removal of radioactive waste was problematic compared to EPA's initial plan to cap the waste.

"The USDA Wildlife Service has advised the city that uncovered radiologically impacted municipal waste at the West Lake Landfill will serve as a food attractant for a variety of bird species and increase the risk of bird/aircraft strikes at the Airport," Hamm-Niebruegge wrote in a letter to EPA in September 2010.

Now that the underground fire has reignited concern over West Lake, the barrier project has the airport and the city again watching the landfill closely. Mayor Francis Slay's chief of staff Jeff Rainford and Hamm-Niebruegge met with the EPA to discuss barrier options last month and were expected to do so again this month.

“As far as we know, it’s quite possible they can build the barrier and mitigate the bird situation,” Rainford said.

Republic spokesman Russ Knocke said the company has had conceptual discussions about the barrier with the EPA, but it is still waiting on the agency to say how and where it should be built.

Last month, the EPA asked Republic Services to submit more detailed barrier plans by mid-October, in part to develop a bird-control strategy that satisfies officials at Lambert and St. Louis. The EPA’s latest community update on West Lake focused on the airport concerns. It says the Bridgeton landfill closed in 2005 “largely due to the risk of bird strikes that the open landfill posed to flight operations.”

But data from the Federal Aviation Administration shows that the closure of the landfill did not lead to fewer bird strikes. Seven of 10 years with the most bird strikes have come after 2005.

Still, airport officials will play a main role in developing plans for the underground barrier at the landfill, according to the EPA.

“With so many passengers using an airport within the St. Louis urban metropolitan area, any bird strike on an aircraft could pose a significant safety threat to people both in the air and on the ground,” said the agency’s update from Sept. 4.

POSSIBLE SOLUTIONS

A group of community leaders including Michael Fulton, superintendent of Pattonville School District, and state Rep. Bill Otto, D-St. Charles, met last month with state Attorney General Chris Koster to discuss his lawsuit against Republic Services and other landfill issues.

At the meeting, Otto told Koster that there are several measures Republic and the airport could take to lessen the threat of bird strikes, including working at night, putting an inflatable cover over the work area or temporarily shutting down the closest runway, which is not heavily used.

Traps and noise devices are common methods to deal with birds, Hamm-Niebruegge said. Some sort of canopy or construction site, on the other hand, might run into issues because of height restrictions near the airport. But shutting a runway isn’t an option.

Even at the runway nearest Bridgeton, she said, there were about 6,000 landings and 13,000 departures over the last 12 months.

“We don’t know what their plan is going to say, but it would never involve closing a runway,” she said.

Otto, who worked as an air traffic controller at Lambert from 1986 to 2007, said in an interview that Republic Services is exaggerating the potential threat from bird strikes.

“Republic is trying to use it as an excuse to not dig the trench or to slow down the needed improvements they have to do to protect the community,” Otto said.

If the underground fire reaches radioactive materials or the surface at the landfill, as some experts have predicted, it would create a worse problem for the airport and the community than birds, he said.

“This trench is not a debatable issue,” he said. “It has to be built or the radioactive material has to be moved out. Working around the potential of bird activity will be a piece of cake.”

Hamm-Niebruegge said a barrier appears more feasible than complete removal of the radioactive material.

“That type of a dig-up is astronomical, and the ability, we think, to have an effective bird-mitigation plan with that type of a dig-up would be really, really challenging if not impossible,” she said.

Republic Services has experience developing bird mitigation, and it has brought in consultants to help develop plans for a barrier project, Knocke said.

The option Republic appears to favor for the barrier would go partially through the contaminated West Lake area. It is expected to take the least amount of time and require the least amount of waste excavation.

“As you look at some of the other options, the level of complexity multiplies substantially,” Knocke said. “Of the three, it’s the most technically feasible and it would likely have the fewest bird-related hazards.”

The corps agreed, also calling it the “most technically feasible.” However, it would be installed through material affected by radioactivity, and not all of the radioactive material would be isolated from the underground fire in the Bridgeton landfill. Some would be on the other side, the corps said in its report.

Rainford said the city will await a plan with bird mitigation strategies from Republic Services and its regulators. But faster completion could pose fewer risks to air traffic.

“I can tell you, the longer, the more disruption there is at the landfill, the harder it is going to be to mitigate the bird situation,” he said.

The city’s say over the project won’t be influenced by anything other than technical feasibility, Rainford said.

But rumblings over political connections and conflicts of interest have come up at recent community meetings about the landfill. Much of the concern has focused on Richard Callow, a communications and political consultant who often advises Slay and has also worked for more than year for Republic Services as it sought to handle the landfill and associated public relations headaches.

Callow is a “communicator, not a technical expert,” Rainford said, and he hasn’t been communicating with the mayor’s office on preferred barrier locations.

“It’s not really for us to say you should do Option A rather than Option C because of blank,” Rainford said. “We’re not getting involved in the politics or any of the other stuff. If the technical people at the airport and the FAA are satisfied the flying public is protected, we have no other basis” to reject a plan.

In an email, Callow said he hasn’t discussed barrier alignments with anyone at City Hall.

“I am not an engineer. I am certain that no one thinks I am,” he wrote. “I expect that my counsel is weighed accordingly.

“I am familiar with airplanes and birds. I do know that their presence in the same airspace is dangerous.”

Parents, health officials search for answers about sick kids

Sept 29. By Blythe Bernhard

Kirbi Pemberton pulled her 7-year-old daughter out of Rose Acres Elementary School in Maryland Heights this year over her concerns about potential health risks from the nearby radioactive West Lake Landfill. Another daughter, who goes to Pattonville High School, has missed several days of school this year with headaches, sore throat and other ailments.

Now a state health report has singled out the 63043 ZIP code, which includes both schools, for its high rate of brain and nervous system cancers among children 17 and younger. Pemberton's oldest daughter Kirstee, who died in 2004 at age 12 of brain cancer that was diagnosed while she attended Rose Acres, was counted among the statistics.

"Ten years later I get slapped in my face with this whole West Lake thing," Pemberton said. "I feel like I am killing my children. That sweet, beautiful, blond child who would still be here if I just lived somewhere else."

After the report, state health officials said they would bring Pattonville parents' concerns to the attention of the Centers for Disease Control and Prevention for a possible evaluation of health risks at the two schools. The schools are less than two miles from the West Lake Landfill in Bridgeton, where World War II-era nuclear waste was dumped in the 1970s and has yet to be cleaned up.

State officials also have asked for a federal health investigation into a potential link between the nuclear waste that contaminated Coldwater Creek in North County and a spike in leukemia cases in eight area ZIP codes, including 63043.

"The potential exposure and movement of contaminated materials is of grave concern to the state of Missouri," the directors of the state natural resources and health departments wrote in a letter last week to the Pentagon asking for increased funding and an expedited schedule for cleanup efforts. "Coldwater Creek in north St. Louis County is an example of potentially contaminated land that is both a commonly used utility corridor and a play area for children."

Soil testing conducted at Rose Acres and Pattonville High School over the summer did not turn up any radiation levels of concern. Rose Acres also tested negative for mold contamination in 2011 after a teacher complained of respiratory problems.

The elementary school was screened for air quality in 2005 over concerns about dust and odors blowing in from the Fred Weber (now Champ) landfill in Maryland Heights. Investigators then found concentrations of some cancer-causing chemicals in the air around the roof and playground that were consistent with what would be expected in a major metropolitan area. The source of the contaminants could not be determined.

Scientists are rarely able to prove a link between cancer rates and environmental hazards in a community, in part because of the complexity and prevalence of the disease. And the St. Louis area is known for its high rates of asthma, with many schools reporting 25 percent or more of students with the respiratory disease. The Environmental Protection Agency has repeatedly assured the community that the Bridgeton landfills pose no health threat to people living or working nearby.

Mike Fulton, Pattonville district superintendent, said while the schools are safe for students and staff, the district welcomes any investigations from state and federal health agencies.

“What we’re into is really complex,” he said. “It’s not just a Bridgeton issue or a Pattonville issue, it’s a regional problem that we have.”

Fulton regularly works with community members and political leaders regarding the situation at West Lake Landfill, where an underground fire at the adjacent Bridgeton Landfill has created foul odors in the community as well as raised fears about the radioactive waste. The superintendent met in August with parents including Pemberton, who has compiled an informal list of more than 50 students and staff members at Rose Acres Elementary who report ailments from asthma to cancer.

“They did show us a list,” Fulton said. “It’s not appropriate for us to get involved in other people’s health issues. We take student safety very seriously but we’re also very confident in sending our kids to Rose Acres or Pattonville High School or any other district school.”

Parents still question the Pattonville schools’ proximity to nuclear waste.

“We didn’t know about all this back then,” said Cindy Whitman, whose daughter Victoria was diagnosed with leukemia in 2005 while attending Rose Acres Elementary and has since recovered. “If the dump caused it, and I’m not saying it did or didn’t, but I’m upset because it could have prevented all the sickness that’s happening to our kids. They knew schools were around there.”

Families who live near the West Lake Landfill are often asked why they stay in the neighborhoods. Most cite similar economic and emotional reasons. Home values have plunged in the area, and many feel stuck. And despite the concerns about the landfills, they are connected to the schools and the neighborhood where their families have been for generations. Pemberton and others also say they face an ethical dilemma because they worry about other families moving in.

Christen Commuso has lived in Maryland Heights most of her life and is now being treated for thyroid cancer.

“This is where I grew up,” said Commuso, 33, who attended Rose Acres and Pattonville High School. “I wanted to raise my daughter there.”

Commuso said she keeps close watch on her daughter Izzabella for any signs of health problems. Many of the children are aware of their parents’ concerns. Earlier this year, Izzabella wrote a letter about the landfill to a state senator for a school assignment.

“I understand I am only 10 years old, but I worry for my family. My mother is a thyroid cancer survivor and she had a hysterectomy,” she wrote. “I don’t think I will ever know if the landfill was ever the cause of this, but it might have.”

From: Bryan, David

Sent: Monday, September 29, 2014 7:54 AM

To: Bustos, Patrick; Frizzell, Damon; R7 Senior Staff; Slugantz, Lynn

Subject: OPA Morning Clips - 9/29/14

St. Louis Post-Dispatch - Fear of bird strikes factors into effort to solve landfill issues - 9/28/14 - Beyond radioactive waste, burning trash and dangerous chemicals, there’s

another risk that could hamper construction of a protective barrier between Bridgeton and West Lake landfills. Birds. http://www.stltoday.com/news/local/fear-of-bird-strikes-factors-into-effort-to-solve-landfill/article_0e3be008-3078-5d4a-a638-e3e032471944.html

St. Louis Post-Dispatch - Parents, health officials search for answers about sick kids - 9/29/14 - Now a state health report has singled out the 63043 ZIP code, which includes both schools, for its high rate of brain and nervous system cancers among children 17 and younger. http://www.stltoday.com/lifestyles/health-med-fit/health/parents-health-officials-search-for-answers-about-sick-kids/article_113fab08-43f8-5d6e-b2f0-6804feb8b9a4.html

Lincoln Journal-Star (Neb.) - Letter, 9/28: Can't trust EPA - 9/27/14 - I would like to address the letter to the editor from Karl Brooks, administrator, EPA Region 7 ("Rule wouldn't hurt farming," Sept. 21). I agree that our streams and waterways need some protection and some regulations, but it is hard for me to believe that the EPA will be an organization that is easy to work with. http://journalstar.com/news/opinion/mailbag/letter-can-t-trust-epa/article_747f67bc-ebeb-5d53-aca9-2237f7d5e106.html

Joplin Globe (Mo.) - Karl Brooks, guest columnist: Clean water benefits American agriculture, more - 9/28/14 - When Congress passed the Clean Water Act in 1972, it didn't just defend the mighty Mississippi or Missouri rivers from pollution. It also protected the smaller streams and wetlands that flow into rivers like the Meramec, Platte, Chariton, Osage and St. Francis in Missouri. http://www.joplinglobe.com/opinion/article_f27f3680-45c4-11e4-8375-af57148eb88a.html

St. Louis Post-Dispatch - Brooks: Clean water serves American agriculture, businesses and community health - 9/27/14 - The comment process is enriched when we hear from landowners, the business community, farmers, scientists, conservationists, energy companies, states and local governments. http://www.stltoday.com/news/opinion/mailbag/clean-water-serves-american-agriculture-businesses-and-community-health/article_b260a9a6-64d3-5b43-9602-ad0f99644182.html

Iowa City Press Citizen - EPA, DNR: Cheese Factory violated regulations for decade - 9/26/14 - Twin Counties Dairy LLC of Kalona violated a series of state-issued permit regulations during a roughly 10-year period before it closed, according to Iowa Department of Natural Resources and U.S. Environmental Protection Agency sources. <http://www.press-citizen.com/story/news/local/2014/09/26/epa-dnr-cheese-factory-violated-regulations-decade/16281231/>

Springfield News Leader (Mo.) - Opinion: Don't constrain energy growth - 9/27/14 - Overall, the world needs more energy, not less. Whatever changes in the climate that are to come, humanity will be better prepared and more resilient if we are healthier, wealthier and wiser. Restricting our ability to progress in these areas is not a good solution. <http://www.news-leader.com/story/opinion/contributors/2014/09/27/constrain-energy-growth/16369323/>

Des Moines Register - Letter: Renewable energy can be a win, win, win for Iowa - 9/28/14 - Thank you to Steve Lockard for laying out the economic benefits to Iowa's wind industry in the EPA's Clean Power Plan (Sept. 24). His column stated clearly how wind provides jobs, financial benefits to farmers and rural economies, and energy that cuts down on carbon emissions and water usage. <http://www.desmoinesregister.com/story/opinion/readers/2014/09/28/renewable-energy-win-iowa/16378827/>
NOTE: Paywall issues may keep you from seeing this article. Full text is included at the end of this email.

The Gazette, Cedar Rapids, Iowa - DNR, emergency responders prepare for spills and fires - 9/28/14 - More than 4,000 Iowa facilities reported storing large caches of hazardous chemicals last year. That list of "reportable" chemicals numbers to 500,000 — if stored in large enough quantities. <http://thegazette.com/subject/news/dnr-emergency-responders-prepare-for-spills-and-fires-20140928>

WNAX Yankton, S.D. - Farm Bureau Pleaded EPA Drops Appeal - 9/29/14 - The EPA will not appeal a federal ruling that favored a West Virginia poultry producer regarding farm run off. Nebraska Farm Bureau National Affairs Coordinator Jordan Dux says EPA was clearly in the wrong and the ruling and drop of the appeal is a big win for agriculture. <http://wnax.com/news/180081-farm-bureau-pleaded-epa-drops-appeal/#sthash.kivuuq4oG.dpuf>

Des Moines Register –

Letter: Renewable energy can be a win, win, win for Iowa

By Rev. Susan Guy, Iowa Interfaith Power & Light, Letter to the Editor

1:42 a.m. CDT September 28, 2014

Thank you to Steve Lockard for laying out the economic benefits to Iowa's wind industry in the EPA's Clean Power Plan (Sept. 24). His column stated clearly how wind provides jobs, financial benefits to farmers and rural economies, and energy that cuts down on carbon emissions and water usage.

Coming on the heels of the largest climate march in history in New York City, it seems fitting to connect the dots. Increasing the use of energy efficiency and renewable energy resources while limiting the amount of carbon pollution that we emit in the U.S. from fossil fuels is a win-win-win for jobs, the economy and climate.

In Iowa we have seen first-hand the economic impact of devastating storms, floods and droughts and the real physical and emotional toll that this has on our neighbors around the state. By further increasing our use of wind energy and energy efficiency measures and ramping up other renewables such as solar, we can mitigate the effects of climate change and act in the interest of the common good.